

MINUTE ITEM

16. APPLICATION FOR LEASE OF 0.186 ACRE OF SUBMERGED LANDS IN SACRAMENTO RIVER AT WALNUT GROVE, SACRAMENTO COUNTY, RIVER ENTERPRISES, INC. - W.O. 3975, P.R.C. 2761.1.

Following presentation of Calendar Item 15 attached, the Executive Officer asked that the staff recommendation be modified to remove the clause covering two renewal periods of ten years each, since the office of the Attorney General had advised that morning that there is doubt as to whether the Commission has authority to include such renewal periods in a recreational lease.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, THE FOLLOWING RESOLUTION WAS ADOPTED:

THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE TO RIVER ENTERPRISES, INC., A CALIFORNIA CORPORATION, A 15-YEAR LEASE FOR THE CONSTRUCTION AND MAINTENANCE OF A FLOATING WHARF AND WALKWAY, UPON THE FOLLOWING CONDITIONS:

1. LAND RENTAL OF \$150 ANNUALLY, WITH THE FIRST AND LAST YEARS' RENTAL PAYABLE IN ADVANCE;
2. POSTING OF A SURETY BOND IN THE AMOUNT OF \$1,000;

THE PARCEL OF SUBMERGED LAND IS DESCRIBED AS FOLLOWS:

ALL OF THAT PORTION OF THE BED OF THE SACRAMENTO RIVER, SITUATE IN THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, IN SECTION 35, TOWNSHIP 5 NORTH, RANGE 4 EAST, M.D.B. & M., DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE LOW-WATER LINE OF THE SACRAMENTO RIVER ON THE LEFT OR EASTERLY SHORE THEREOF FROM WHICH THE MOST WESTERLY CORNER OF THE LANDS DESCRIBED IN THAT CERTAIN DEED RECORDED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY IN BOOK 2777 OF OFFICIAL RECORDS AT PAGE 598, BEARS SOUTH 54° 40' 30" EAST 47.78 FEET; THENCE FROM SAID POINT OF BEGINNING SOUTH 36° 35' 00" WEST 140.86 FEET ALONG SAID LOW WATER LINE TO A POINT; THENCE NORTH 54° 40' 30" WEST 29.00 FEET; THENCE NORTH-EASTERLY RUNNING PARALLEL WITH AND 29.00 FEET NORTHWESTERLY FROM SAID LOW WATER LINE 280.00 FEET TO A POINT; THENCE SOUTHEASTERLY 29.00 FEET TO A POINT IN SAID LOW WATER LINE LOCATED NORTH 34° 19' 00" EAST 140.00 FEET FROM SAID POINT OF BEGINNING; THENCE SOUTH 34° 19' 00" WEST 140.00 FEET ALONG SAID LOW WATER LINE TO THE POINT OF BEGINNING, CONTAINING 0.186 ACRE, MORE OR LESS.

Attachment
Calendar Item 15 (2 pages)

CALENDAR ITEM

15.

APPLICATION FOR LEASE OF 0.186 ACRE OF SUBMERGED LANDS IN SACRAMENTO RIVER AT WALNUT GROVE, SACRAMENTO COUNTY, RIVER ENTERPRISES, INC. - W.O. 3975.

An application has been received from River Enterprises, Inc., a California corporation, to lease 0.186 acre of submerged lands in the Sacramento River at Walnut Grove, Sacramento County. The area is to be used for the construction and maintenance of a floating wharf and walkway as a courtesy mooring for small craft, and will be an adjunct to the operation of a resort hotel in the town of Walnut Grove. (See Exhibits "A" and "B".)

The applicant, who is the owner of the adjoining upland site, has requested a lease for an initial period of 15 years, beginning June 1, 1961, with the right to renew for two additional periods of 10 years each, upon such reasonable terms and conditions as the Commission might impose.

Based upon a staff appraisal of the market value of the site, the land rental for a 15-year period would be at the minimum rate of \$150 per year.

A surety bond in the amount of \$1,000 to guarantee performance of the lease conditions would be required.

The statutory filing fee and the expense deposit have been paid.

IT IS RECOMMENDED THAT THE EXECUTIVE OFFICER BE AUTHORIZED TO ISSUE TO RIVER ENTERPRISES, INC., A CALIFORNIA CORPORATION, A 15-YEAR LEASE FOR THE CONSTRUCTION AND MAINTENANCE OF A FLOATING WHARF AND WALKWAY, UPON THE FOLLOWING CONDITIONS:

1. LAND RENTAL OF \$150 ANNUALLY, WITH THE FIRST AND LAST YEARS' RENTAL PAYABLE IN ADVANCE;
2. POSTING OF A SURETY BOND IN THE AMOUNT OF \$1,000.

THE PARCEL OF SUBMERGED LAND IS DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF THE BED OF THE SACRAMENTO RIVER, SITUATE IN THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, IN SECTION 35, TOWNSHIP 5 NORTH, RANGE 4 EAST, M.D.B. & M., DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE LOW-WATER LINE OF THE SACRAMENTO RIVER ON THE LEFT OR EASTERLY SHORE THEREOF FROM WHICH THE MOST WESTERLY CORNER OF THE LANDS DESCRIBED IN THAT CERTAIN DEED RECORDED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY IN BOOK 2777 OF OFFICIAL RECORDS AT PAGE 598, BEARS SOUTH 54° 40' 30" EAST 47.78 FEET; THENCE FROM SAID POINT OF BEGINNING SOUTH 36° 35' 00" WEST 140.86 FEET ALONG SAID LOW WATER LINE TO A POINT; THENCE NORTH 54° 40' 30" WEST 29.00 FEET; THENCE NORTHEASTERLY RUNNING PARALLEL

CALENDAR ITEM 15. (CONTD.)

WITH AND 29.00 FEET NORTHWESTERLY FROM SAID LOW WATER LINE 280.00 FEET TO A POINT; THENCE SOUTHEASTERLY 29.00 FEET TO A POINT IN SAID LOW WATER LINE LOCATED NORTH $34^{\circ} 19' 00''$ EAST 140.00 FEET FROM SAID POINT OF BEGINNING; THENCE SOUTH $34^{\circ} 19' 00''$ WEST 140.00 FEET ALONG SAID LOW WATER LINE TO THE POINT OF BEGINNING, CONTAINING 0.186 ACRE, MORE OR LESS.